

DEPARTMENT OF LABOR AND INDUSTRY

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Sub-Chapter 1

Organizational Rules

24.204.101 BOARD ORGANIZATION (1) The board of radiologic technologists adopts and incorporates the organizational rules of the department of labor and industry as listed in chapter 1 of this title. (History: 37-14-202, MCA; IMP, 2-4-201, MCA; NEW, Eff. 10/4/76; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; TRANS, from Commerce, 2004 MAR p. 3033.)

Sub-Chapter 2

Procedural Rules

24.204.201 PROCEDURAL RULES (1) The board of radiologic technologists adopts and incorporates the procedural rules of the department of labor and industry as listed in chapter 2 of this title. (History: 37-14-202, MCA; IMP, 2-4-201, MCA; NEW, Eff. 10/4/76; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; TRANS, from Commerce, 2004 MAR p. 3033.)

24.204.202 PUBLIC PARTICIPATION RULES (1) The board of radiologic technologists hereby adopts and incorporates by this reference the public participation rules of the department of commerce as listed in chapter 2 of this title. (History: 37-14-202, MCA; IMP, 2-3-103, MCA; NEW, 1978 MAR p. 202, Eff. 2/24/78; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; TRANS, from Commerce, 2004 MAR p. 3033.)

Sub-Chapter 3 reserved

Subchapter 4

General Provisions

24.204.401 FEE SCHEDULE (1) Fees shall be transmitted by money order, electronic payment, or check payable to the Board of Radiologic Technologists. The board assumes no responsibility for loss in transit of such remittances. All fees are nonrefundable.

- (a) Application fee - radiologic technologist (includes temporary permit if requested) \$60
- (b) Original license fee 30
- (c) Renewal license fee - radiologic technologist 50
- (d) Additional standardized fees are specified in ARM 24.101.403. (History: 37-1-131, 37-1-134, 37-14-202, MCA; IMP, 37-1-134, 37-1-141, 37-14-305, 37-14-306, MCA; NEW, Eff. 10/4/76; AMD, 1977 MAR p. 140, Eff. 8/4/77; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; AMD, 1983 MAR p. 1923, Eff. 12/30/83; AMD, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1986 MAR p. 1899, Eff. 11/15/86; AMD, 1989 MAR p. 753, Eff. 6/16/89; AMD, 1993 MAR p. 2912, Eff. 12/10/93; AMD, 1996 MAR p. 1138, Eff. 4/26/96; AMD, 2000 MAR p. 2008, Eff. 7/28/00; AMD, 2003 MAR p. 1882, Eff. 8/29/03; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2005 MAR p. 2465, Eff. 12/9/05; AMD, 2006 MAR p. 1583, Eff. 7/1/06; AMD, 2007 MAR p. 202, Eff. 2/9/07; AMD, 2008 MAR p. 325, Eff. 2/15/08.)

Rules 24.204.402 and 24.204.403 reserved

24.204.404 PERMIT FEES

- | | |
|--|------|
| (1) Application fee | \$45 |
| (2) State combined examination fee and reexamination fee | 15 |
| (3) Original license fee | 40 |
| (4) Renewal fee | 40 |

(5) Additional standardized fees are specified in ARM 24.101.403. (History: 37-1-131, 37-1-134, 37-14-202, 37-14-306, MCA; IMP, 37-1-134, 37-1-141, 37-14-305, 37-14-306, MCA; NEW, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1986 MAR p. 1899, Eff. 11/15/86; AMD, 1993 MAR p. 2912, Eff. 12/10/93; AMD, 1997 MAR p. 1576, Eff. 9/9/97; AMD, 2000 MAR p. 2008, Eff. 7/28/00; AMD, 2003 MAR p. 1882, Eff. 8/29/03; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2005 MAR p. 2465, Eff. 12/9/05; AMD, 2006 MAR p. 1583, Eff. 7/1/06; AMD, 2007 MAR p. 202, Eff. 2/9/07; AMD, 2008 MAR p. 325, Eff. 2/15/08.)

Rule 24.204.405 reserved

24.204.406 ABATEMENT OF RENEWAL FEES (1) Pursuant to 17-2-302, MCA, state programs that charge a fee for services are generally not permitted to let their cash balance exceed twice the program's annual appropriation. However, despite the best projections of the board, there may be times when cash balances exceed the amount authorized by statute. This rule is intended to provide a process for when the board needs to reduce its cash balance with a standard methodology to do so, in fair and equitable manner. This rule provides for an abatement of certain fees when the board's cash balance is excessive.

(2) Except as provided by (3), when the board has an excessive cash balance, the department may abate the renewal fees for the board's licensees or registrants for one or more renewal cycles until the board's cash balance does not exceed the allowable maximum.

(a) The abatement of renewal fees may be the total amount of the renewal fee, or only a specified portion of the renewal fee.

(b) If the board has more than one category of renewals, the abatement must be made on a roughly proportional basis to fairly, equitably, reasonably and economically distribute the abatement among the program's licensees or registrants. The department may, for good cause, completely abate the renewal fee for certain classes of licensees or registrants and not for other classes, if the administrative cost of processing a reduced renewal fee for all classes is disproportionately high. In such a case, the department must attempt in any future abatements to equitably treat those classes of renewals which have borne a relatively higher proportion of renewal fees.

(c) The fact that the renewal fee is abated for any given renewal cycle does not excuse the licensee or registrant from otherwise fulfilling the renewal requirements, including submission of a renewal application and/or continuing education documentation. The board, to the extent it so provides by rule, may impose a late fee on untimely submissions of renewal applications or other required documentation.

(3) This rule does not apply when an exception to 17-2-302, MCA, exists and is applicable to the board's cash balance. As an example, if the board adopts a three-year renewal cycle, the board will have an apparent excess cash balance during the first year of the renewal cycle, based on a collection of three year's worth of fees for operations expenses.

(4) This rule does not relieve the board from the duty to establish fees at a level commensurate with costs. (History: 37-1-131, 37-14-202, MCA; IMP, 17-2-302, 17-2-303, 37-1-134, MCA; NEW, 2003 MAR p. 1882, Eff. 8/29/03; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2005 MAR p. 2465, Eff. 12/9/05.)

Rule 24.204.407 reserved

24.204.408 RADIOLOGIC TECHNOLOGISTS APPLICATIONS

(1) Applications shall be made on printed forms provided by the department and signed by the applicant.

(2) The application must be complete, accompanied by the appropriate fee(s), and contain sufficient evidence that the applicant possesses the qualifications set forth in Title 37, chapter 14, MCA, and rules promulgated thereunder.

(3) The board shall review fully-completed nonroutine applications for compliance with board law and rules. The board may request additional information or clarification of information provided in the application as it deems reasonably necessary. Incomplete applications shall be returned to the applicant with a statement regarding incomplete portions.

(4) The applicant shall correct any deficiencies and resubmit the application as requested. Failure to resubmit the application within 60 days shall be treated as a voluntary withdrawal of the application. In order to consider an applicant after voluntary withdrawal, a new application and fee(s) is required.

(5) An application for licensure shall be submitted to the board office with copies of the following documents:

(a) three statements from persons attesting to the applicant's good moral character;

(b) application fee;

(c) original license fee; and either:

(d) evidence of certification by the American Registry of Radiologic Technologists (ARRT) in x-ray technology. This evidence shall consist of the applicant being listed in the current ARRT directory. When the applicant is not listed in the current ARRT directory, the applicant shall submit to the board a certified copy issued by the ARRT of the original registration certificate; or

(e) at the board's discretion, documentation of successful completion of a course of study in an approved school of radiologic technology as defined in 37-14-303, MCA, and having obtained a passing score on the examination in diagnostic radiologic technology given by the ARRT. A scaled score of 75 constitutes a passing score.

(6) Applications and related data will be kept in permanent files and maintained by the board office. (History: 37-1-131, 37-14-202, MCA; IMP, 37-14-302, 37-14-305, MCA; NEW, Eff. 10/4/76; AMD, 1980 MAR p. 429, Eff. 2/1/80; AMD, 1981 MAR p. 208, Eff. 3/13/81; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; AMD, 1983 MAR p. 1923, Eff. 12/30/83; AMD, 1984 MAR p. 1629, Eff. 11/16/84; AMD, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1996 MAR p. 1138, Eff. 4/26/96; AMD, 1998 MAR p. 1916, Eff. 7/17/98; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2005 MAR p. 2465, Eff. 12/9/05; AMD, 2006 MAR p. 2659, Eff. 10/27/06; AMD, 2008 MAR p. 325, Eff. 2/15/08.)

Rules 24.204.409 and 24.204.410 reserved

24.204.411 REPLACEMENT LICENSES AND PERMITS (1) Licensees and permit holders shall immediately notify the board of lost, damaged, or destroyed licenses and permits. (History: 37-1-131, 37-14-202, MCA; IMP, 37-14-305, 37-14-308, MCA; NEW, Eff. 10/4/76; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; AMD, 1983 MAR p. 1923, Eff. 12/20/83; AMD, 1984 MAR p. 1629, Eff. 11/16/84; AMD, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1996 MAR p. 1138, Eff. 4/26/96; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2006 MAR p. 84, Eff. 12/9/05.)

Rules 24.204.412 and 24.204.413 reserved

24.204.414 HARDSHIP TEMPORARY PERMITS (1) A regional hardship exists when there is no other facility in the area staffed by a qualified radiologic technologist, radiologist or permit holder. Applications for a permit under this rule require the following:

(a) a written statement from the health facility administrator or physician documenting the regional hardship or emergency condition that exists in the area;

(b) a written statement from a licensed radiologic technologist attesting that the applicant possesses basic knowledge of radiation protection and radiobiology, x-ray physics, anatomy, physiology, positioning, radiographic technique, darkroom procedures and film critique; and

(c) a written statement from the applicant setting forth the applicant's training and experience. (History: 37-14-202, 37-14-306, MCA; IMP, 37-14-305, 37-14-306, MCA; NEW, 1981 MAR p. 208, Eff. 3/13/81; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; TRANS & AMD, from 8.56.412, 1984 MAR p. 1629, Eff. 11/16/84; AMD, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1990 MAR p. 1321, Eff. 7/13/90; AMD, 1996 MAR p. 1138, Eff. 4/26/96; TRANS, from Commerce, 2004 MAR p. 3033.)

24.204.415 INSPECTIONS (1) An inspection shall be conducted by the board or its designees in accordance with 37-14-322, MCA.

(2) A reinspection shall be made for any noncompliance found by the board or its designees in accordance with 37-14-307, MCA.

(3) The inspection will commence no later than 20 minutes after the inspector's arrival.

(4) It is up to the employer of a licensee or permit holder to determine whether licenses and permits must be posted at the facility.

(5) Licenses or permits not posted must be immediately available to the inspector upon request. (History: 37-14-202, MCA; IMP, 37-14-307, 37-14-322, MCA; NEW, 1997 MAR p. 1576, Eff. 9/9/97; AMD, 2003 MAR p. 1882, Eff. 8/29/03; TRANS, from Commerce, 2004 MAR p. 3033.)

Subchapter 5

Licensing and Scope of Practice

24.204.501 LIMITED PERMIT APPLICATION - TYPES (1) A temporary practice permit as provided in 37-14-306, MCA, may be obtained by radiologic technologist course graduates who have completed all requirements for licensure other than passage of the American Registry of Radiologic Technologists (ARRT) examination. In reference to 37-14-306, MCA, when the examination has been taken, the temporary permit is valid until notification by the examination service that the person either fails the first license examination for which the person is eligible following issuance of the temporary permit, or passes the examination and is granted a license.

(2) A limited practice permit as provided in 37-14-306, MCA, may be obtained by:

- (a) graduates of the 88-hour course set forth in ARM 24.204.507; or
- (b) students who have completed half of a radiologic technologist program accredited by a mechanism recognized by the ARRT.

(3) A temporary regional hardship permit as provided in 37-14-306, MCA, may be sought by applicants under the circumstances set forth in ARM 24.204.414.

(4) Upon approval of the permit application, the applicant shall submit the appropriate examination fee.

(5) Upon passage of the examination, the license applicant shall submit the appropriate original license fee. (History: 37-1-131, 37-14-202, 37-14-306, MCA; IMP, 37-14-306, MCA; NEW, 1984 MAR p. 1629, Eff. 11/16/84; AMD, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1990 MAR p. 1321, Eff. 7/13/90; AMD, 1996 MAR p. 1138, Eff. 4/26/96; AMD, 1998 MAR p. 1916, Eff. 7/17/98; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2006 MAR p. 2659, Eff. 10/27/06.)

Rules 24.204.502 and 24.204.503 reserved

24.204.504 PERMITS - PRACTICE LIMITATIONS (1) Upon successful completion of the required formal training and the required examination, the board may issue a limited permit to the applicant which specifies the x-ray procedures the limited permit holder is authorized to perform. The limited permit holder may only take x-rays as follows:

(a) in the chest area, consisting of the thoracic region including the lungs, AP (anterior posterior) or PA (posterior anterior) views, lateral and apical lordotic routine chest exposures, and other views as needed by the ordering physician or interpreting radiologist, but in no case involving mammography procedures;

(b) of the extremities, AP or PA, lateral, and oblique routine exposures;

(c) of the spine, AP, lateral, and oblique routine exposures of the cervical, thoracic, and lumbar areas;

(d) all routine views of the skull and sinuses, with the exception of internal auditory canal series and mastoid series;

(e) of the abdomen, consisting of the region from the diaphragm to the pubis, routine supine and upright AP abdomen projection, and IVP (intravenous pyelogram) scout and follow-up films as specified by the supervising radiologist or physician; and

(f) for GI (gastrointestinal) tract and associated overhead films, the limited permit holder may assist the physician in fluoroscopic examination of the GI tract and may produce films of all associated overhead views as ordered by the physician.

(2) A limited practice permit holder or applicant may perform bone densitometry examinations upon successful completion of the bone densitometry equipment operators examination administered by the American Registry of Radiologic Technologists (ARRT) or the International Society of Clinical Densitometry (ISCD).

(3) Limited permit holders who completed the 88-hour training are not authorized or permitted to perform fluoroscopy procedures due to the difficulty in monitoring, limiting, and controlling the accumulative doses of ionizing radiation.

(4) A student of a radiologic technologist program accredited by a mechanism recognized by the ARRT is allowed to perform procedures with portable fluoroscopy equipment (also known as C-Arm), provided the student has submitted documentation to the board that:

(a) identifies the student as being enrolled in a radiology program accredited by a mechanism recognized by the ARRT;

(b) the student will be performing portable fluoroscopy procedures as a student with routine supervision;

(c) identifies the names of the student's clinical supervisors; and

(d) identifies the facility which will allow the student to receive clinical experience, including the performance of duties outside the scope of a limited permit holder.

(5) If a student of a radiologic technologist program accredited by a mechanism recognized by the ARRT has completed the first two semesters of the program or its equivalent, as determined by the board, and has become a limited permit holder, that person may perform procedures while operating portable fluoroscopy equipment and may be compensated. (History: 37-1-131, 37-14-202, MCA; IMP, 37-14-301, 37-14-306, MCA; NEW, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1993 MAR p. 2912, Eff. 12/10/93; AMD, 1995 MAR p. 21, Eff. 1/13/95; AMD, 1996 MAR p. 1138, Eff. 4/26/96; AMD, 2003 MAR p. 1882, Eff. 8/29/03; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2005 MAR p. 2465, Eff. 12/9/05; AMD, 2006 MAR p. 2659, Eff. 10/27/06.)

Rules 24.204.505 and 24.204.506 reserved

24.204.507 COURSE REQUIREMENTS FOR LIMITED PERMIT

APPLICANTS (1) Course providers shall receive board approval prior to offering the courses outlined below and shall submit a request for reapproval every two years thereafter. The provider shall submit for the board's review, a course outline, agenda and the identification and qualifications of all instructors.

(2) The course shall be 40 hours in length and consist of the following:

- (a) fundamentals of radiobiology,
- (b) imaging equipment,
- (c) fundamentals of radiation protection,
- (d) fundamentals of x-ray physics,
- (e) radiographic technique and principles of radiographic exposure,
- (f) darkroom procedures,
- (g) interrelationship of the radiographic chain, (i.e. technique vs darkroom procedures),

(h) adverse contrast reaction.

(3) An additional course, to include anatomy, physiology, positioning, pathology, x-ray technique and proper handling of trauma patients, shall be required for the applicant to qualify for examination in each of the specified limited x-ray procedures. Course length is specified for each limited x-ray procedure.

- (a) chest - four hours,
- (b) extremities - eight hours,
- (c) spine - eight hours,
- (d) skull - eight hours,
- (e) abdomen - four hours,
- (f) GI tract and associated overhead films - eight hours,
- (g) positioning - eight hours.

(4) A portion of the required classroom hours may be substituted by a verifiable correspondence course subject to board approval. The portion of required classroom hours completed by correspondence may not exceed 40 percent of the total hours required for examination(s) requested by the applicant.

(5) To be exempt under 37-14-301, MCA, from obtaining a permit, an eight-hour course in darkroom procedures shall be completed by any person performing only darkroom procedures. (History: 37-14-202, MCA; IMP, 37-14-301, 37-14-306, MCA; NEW, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1990 MAR p. 1321, Eff. 7/13/90; AMD, 1996 MAR p. 1138, Eff. 4/26/96; AMD, 2003 MAR p. 1882, Eff. 8/29/03; TRANS, from Commerce, 2004 MAR p. 3033.)

Rules 24.204.508 through 24.204.510 reserved

24.204.511 PERMIT EXAMINATIONS (1) All limited permit applicants shall take and pass the ARRT limited scope core examination.

(a) The ARRT limited scope core examination contains questions common to all areas of specified x-ray procedures and includes the following topics:

- (i) basic radiobiology;
- (ii) radiation protection;
- (iii) imaging equipment;
- (iv) x-ray physics;
- (v) radiographic technique and principles of radiographic exposure;
- (vi) darkroom procedures; and
- (vii) interrelationship of the radiographic chain.

(2) In addition to the ARRT limited scope core examination, 88-hour course graduates shall complete a module examination for selected anatomic regions in which the applicant desires to be permitted.

(a) Each module examination shall include questions common to the individual module in the following areas:

- (i) anatomy;
- (ii) physiology;
- (iii) pathology; and
- (iv) x-ray technique.

(b) Limited permits are issued in Montana in the following five categories:

- (i) chest;
- (ii) extremities;
- (iii) skull and sinuses;
- (iv) spine; and
- (v) abdomen, gastrointestinal tract, and hip and pelvis (state combined examination).

(3) "State combined examination" as used in this rule means the examination consisting of abdomen (AB), gastrointestinal tract (GI) (postfluoroscopy films only), and hip and pelvis examinations.

(4) Applicants may review their state combined examination with administrative staff for the board at the board office or at an approved site designated by the board.

(5) A nonrefundable fee will be assessed for the combined examination. After failing the combined examination, the applicant will be required to submit another state combined examination retake fee.

(6) Applicants for an 88-hour course permit who fail any portion of the ARRT limited scope examination (core or any module examination) on two attempts shall be required to successfully complete additional coursework in the failed area(s) of the examination before being allowed to retake the failed portion(s) of the examination a third time.

(a) On a case-by-case hardship basis, the board may allow an unsuccessful applicant to receive tutoring in lieu of the additional course work. A tutor must have at least five years experience as a licensed radiologic technologist and possess a current ARRT card. The tutor must submit for board approval the tutor's qualifications and an outline of the materials and topics to be studied by the applicant under the instruction of the tutor. The applicant is responsible for paying all costs associated with the tutorial.

(7) Student permit applicants (having completed two semesters or its equivalent from a radiologic technology program accredited by a mechanism recognized by the ARRT) are only required to take the ARRT limited scope core examination. If student permit applicants fail the ARRT limited scope core examination on two attempts they shall retake:

- (a) the limited scope core examination;
- (b) all four individual module examinations; and
- (c) the state combined examination.

(8) Temporary permit applicants (graduates of a radiologic technology program accredited by a mechanism recognized by the ARRT) who have failed the ARRT radiologic technologist examination four times shall take:

- (a) the ARRT limited scope core examination;
- (b) all four individual module examinations; and
- (c) the state combined examination.

(9) A minimum passing score of 70 percent is required on the ARRT limited scope core examination, each module examination, and the state combined examination.

(10) All requests for reasonable accommodations under the Americans with Disabilities Act of 1990, 42 USC 12101, et seq., in regard to a board-administered licensing examination must be made on forms provided by the board and submitted with the application for examination prior to any deadline set by the board. (History: 37-1-131, 37-14-202, MCA; IMP, 37-1-131, 37-14-306, MCA; NEW, 1985 MAR p. 1152, Eff. 8/16/85; AMD, 1990 MAR p. 1321, Eff. 7/13/90; AMD, 1995 MAR p. 21, Eff. 1/13/95; AMD, 1996 MAR p. 1138, Eff. 4/26/96; AMD, 1997 MAR p. 1576, Eff. 9/9/97; AMD, 2003 MAR p. 1882, Eff. 8/29/03; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2005 MAR p. 2465, Eff. 12/9/05; AMD, 2006 MAR p. 2659, Eff. 10/27/06; AMD, 2008 MAR p. 325, Eff. 2/15/08.)

Subchapter 6

Radiologist Assistant Rules

24.204.601 QUALIFICATIONS (1) A radiologist assistant (RA) may also be referred to as a radiology practitioner assistant (RPA) pursuant to 37-14-313, MCA, including current licensees or students currently enrolled in the 2005 school year.

(2) To practice as a RA/RPA, an applicant shall:

(a) be a graduate of a RA educational program that:

(i) culminates in the award of a baccalaureate degree, postbaccalaureate certificate, or master's degree from an institution accredited by a mechanism recognized by either:

(A) ARRT;

(B) American college of radiology; or

(C) American society of radiologic technologists; and

(ii) incorporates a radiologist-directed clinical preceptorship; and

(iii) meets the eligibility requirements for certification by the ARRT.

(A) The board will accept certification from the ARRT or the certification board for radiologist practitioner assistant (CBRPA) for eligibility to sit for the CBRPA certification or ARRT examination;

(b) maintain an active ARRT registration status in radiography;

(c) submit a copy of current certification in advanced cardiac life support (ACLS) skills;

(d) furnish validation of participation in continuing education activities with a minimum of 24 hours of continuing education credits annually;

(e) hold a current Montana radiologic technologist (RT) license; and

(f) submit to the board a letter from the supervising radiologist certifying completion of a clinical preceptorship. (History: 37-1-131, 37-14-202, 37-14-313, MCA; IMP, 37-14-313, MCA; NEW, 2005 MAR p. 2465, Eff. 12/9/05.)

Rule 24.204.602 reserved

24.204.603 SCOPE OF PRACTICE - SPECIFIC DUTIES AND FUNCTIONS (1)

The RA/RPA shall evaluate the day's schedule of procedures with the supervising radiologist or the radiologist designate and determine where the RA/RPA's skills will be best utilized.

(2) After demonstrating competency, the RA/RPA, under the general supervision of the supervising radiologist or the radiologist designate, may perform the following procedures:

- (a) fluoroscopic procedures (static and dynamic);
- (b) arthrograms, pursuant to 37-14-301, MCA; and
- (c) peripheral venograms, pursuant to 37-14-301, MCA.

(3) The RA/RPA may make initial observations of diagnostic images and forward them to the supervising radiologist.

(4) The RA/RPA shall assess and evaluate the psychological and physiological responsiveness of each patient.

(5) The RA/RPA shall participate in patient management, including acquisition of additional imaging for completion of the exam and record documentation in medical records.

(6) The RA/RPA shall administer intravenous contrast media or glucagon under the supervision of a radiologist or the attending physician pursuant to 37-14-301, MCA.

(7) "Radiologist designate", as used in this rule, means a radiologist, MD who has been named radiologist designate by the supervising radiologist, MD. The radiologist designate must reside in Montana and have a current Montana license. (History: 37-1-131, 37-14-202, 37-14-313, MCA; IMP, 37-14-102, 37-14-301, 37-14-313, MCA; NEW, 2005 MAR p. 2465, Eff. 12/9/05.)

Rule 24.204.604 reserved

24.204.605 SCOPE OF REQUIRED SUPERVISION (1) A RA/RPA may only perform diagnostic procedures under the general supervision of a licensed radiologist. In order for a RA/RPA to be considered under the general supervision of a radiologist, the RA/RPA must:

(a) meet with the supervising radiologist on a regularly scheduled basis of not less than once every month;

(b) provide the supervising radiologist with copies of records from procedures the RA/RPA has performed;

(c) seek input from the supervising radiologist regarding any issues relating to the RA/RPA's performance of diagnostic procedures; and

(d) have a means of contacting the radiologist in order to obtain a timely consultation.

(i) Consultations with the supervising radiologist are considered timely if the radiologist replies to the RA/RPA within eight hours of the RA/RPA's request for consultation.

(2) Consultations with the supervising radiologist shall be conducted as needed:

(a) in person;

(b) by telephone;

(c) by interactive videoconferencing; or

(d) by electronic means of communication, such as e-mail or picture, archives, and communication system (PACS).

(3) The RA/RPA shall not perform any diagnostic procedure for which a consultation is needed or appropriate, until such time as consultation has occurred and the RA/RPA has been advised or directed by the radiologist on how to proceed. (History: 37-1-131, 37-14-202, 37-14-313, MCA; IMP, 37-14-102, 37-14-313, MCA; NEW, 2005 MAR p. 2465, Eff. 12/9/05.)

Rule 24.204.606 reserved

24.204.607 CODE OF ETHICS (1) The board adopts and incorporates by reference the July 2003 edition of the code of ethics adopted by the ARRT.

(2) Copies of the ARRT code of ethics may be obtained on the ARRT website at www.arrt.org, or from the office of the board at 301 S. Park Avenue, Helena, or P.O. Box 200513, Helena, Montana 59620-0513.

(3) The RA/RPA shall adhere to and abide by the ARRT code of ethics.

(4) In addition to the ARRT code of ethics, the conduct of the RA/RPA shall be governed by the following additional ethical and professional principles. The RA/RPA shall:

(a) adhere to all state and federal laws governing informed consent concerning patient health care;

(b) seek consultation with the supervising radiologist, other health providers, or qualified professionals having special skills, knowledge or expertise whenever the welfare of the patient will be safeguarded or advanced by such consultation;

(c) provide only those services for which the RA/RPA is qualified via education, demonstration of clinical competency, and as allowed by rule;

(d) not misrepresent in any manner, either directly or indirectly, the RA/RPA's clinical skills, educational experience, professional credentials, identity, or ability and capability to provide radiology health care services;

(e) place service before material gain;

(f) carefully guard against conflicts of professional interest; and

(g) adhere to national, institutional and/or departmental standards, policies and procedures regarding the standards of care for patients. (History: 37-1-131, 37-14-202, 37-14-313, MCA; IMP, 37-14-313, MCA; NEW, 2005 MAR p. 2465, Eff. 12/9/05.)

Subchapters 7 through 20 reserved

Subchapter 21

Continuing Education

24.204.2101 CONTINUING EDUCATION (1) An applicant for renewal of a limited permit shall affirm on the renewal form that the applicant has completed six contact hours (one hour equals not less than 55-60 minutes) of continuing education as provided in this rule as a condition to establish eligibility for renewal. The continuing education requirement will not apply until after the licensee's first full year of licensure.

(2) Licensees who do not hold an American Registry of Radiologic Technologist (ARRT) credential are held to the same standard for continuing education requirements as an ARRT licensee and must report 12 hours of continuing education to the board annually with their renewal form. The ARRT continuing education requirements can be located at www.arrt.org.

(3) The permit holder is required to make records and documentation available to the board as proof of meeting the continuing education requirement, if so requested during a random audit.

(4) A random audit of the permit holder's continuing education will be conducted on an annual basis.

(5) The permit holder shall maintain records and documentation of completion of continuing education activities such as verification of participation forms, conference brochures, certificates, college or university transcripts or grade reports, articles, and book reviews.

(6) All continuing education must be germane to the radiographic portion of permit holder's profession and must contribute to the professional competence of a limited permit holder as determined by the board based on information presented on a form provided by the board.

(7) The board shall accept any continuing education offered or approved by the Montana or American Society of Radiologic Technologists or the American Medical Association.

(8) Subject to approval by the board, continuing education may be earned through college course work, according to the following limitations:

(a) the permittee must pass the course;

(b) one semester credit shall equal 15 contact hours of continuing education; and

(c) one quarter credit shall equal ten contact hours of continuing education.

(9) Continuing education requirements may be met by retaking the limited permit general examination and receiving a passing score. They may also be met by passing an advanced level examination not previously passed and for which the individual is eligible (e.g., additional categories).

(10) The board shall accept any continuing education accrued by attending seminars, lectures, or courses directly related to the individual's field of practice or operation not already approved by one of the professional organizations previously mentioned upon approval by the board. The sponsor or organization of any such continuing education may obtain board approved credit upon submission of information regarding the course content and participant evaluation procedures.

(11) Subject to approval by the board, continuing education may be earned for reading books germane to the profession, according to the following limitations:

(a) one contact hour shall be credited for each book or article up to a maximum of four contact hours per year; and

(b) documentation must be maintained in the form of a book review written by the permittee noting the author, title, publisher, and publishing date of the book or article.

(12) Continuing education will not be granted to participants for attending the same course more than once in a 12-month period.

(13) Continuing education credits earned that are more than the amount required will not be carried over into the following accreditation period.

(14) The board, in its discretion, reserves the right to deny credit for continuing education units that do not receive approval from the board within 30 days after attendance. (History: 37-1-319, 37-14-202, MCA; IMP, 37-1-131, 37-1-306, MCA; NEW, 1997 MAR p. 1576, Eff. 9/9/97; AMD, 1998 MAR p. 1916, Eff. 7/17/98; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2007 MAR p. 202, Eff. 2/9/07.)

24.204.2102 WAIVER OF CONTINUING EDUCATION REQUIREMENT

(1) In the event of hardship such as a disabling illness or other personal emergency which substantially interferes with a permit holder's ability to meet the minimum requirement of six contact hours prior to the deadline, the board may approve a waiver of the continuing education requirement. There must be a written request submitted to the board by the renewal date set by ARM 24.101.413. Such request for approval for a waiver shall be in writing and shall set forth the reasons why the licensee was unable to earn the minimum number of credit units required prior to the deadline. (History: 37-1-319, 37-14-202, MCA; IMP, 37-1-306, 37-1-319, MCA; NEW, 1997 MAR p. 1576, Eff. 9/9/97; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2006 MAR p. 1583, Eff. 7/1/06.)

Rules 24.204.2103 through 24.204.2114 reserved

24.204.2115 RENEWALS (1) Renewal notices will be sent as specified in ARM 24.101.414.

(2) The renewal date for a radiologic technologist license is the date set by ARM 24.101.413.

(3) The provisions of ARM 24.101.408 apply. (History: 37-1-141, 37-14-202, MCA; IMP, 37-1-141, MCA; NEW, 2006 MAR p. 1583, Eff. 7/1/06.)

24.204.2116 RENEWAL - PROOF OF GOOD STANDING (1) A radiologic technologist license renewal must include a statement that affirms the licensee possesses a current copy of the American Registry of Radiologic Technologists (ARRT) pocket card. (History: 37-1-131, MCA; IMP, 37-1-141, MCA; NEW, 2006 MAR p. 2659, Eff. 10/27/06.)

Subchapter 22 reserved

Subchapter 23

Unprofessional Conduct

24.204.2301 UNPROFESSIONAL CONDUCT (1) For the purposes of implementing 37-1-307, MCA, and in addition to the provisions of 37-1-316, MCA, "unprofessional conduct" is defined by this board to include but not be limited to the following:

(a) discrimination against a patient on the basis of age, sex, race, creed, social or economic status, handicap, personal attributes, or the nature of health problems;

(b) unnecessary radiation exposure to patient and public;

(c) withholding information relative to radiologic diagnosis or patient management from any individual authorized to have access to such information;

(d) performing radiologic procedures outside the scope of the license or permit;

(e) failing to report to the board any unethical conduct or illegal activities in the field of radiologic technology of which a licensee has personal knowledge;

(f) failing to cooperate with an investigation or other disciplinary proceeding instituted by the department;

(g) failing to comply with the provision of Title 37, chapter 14, MCA, or any rule promulgated thereunder; and

(h) presenting a tampered or fraudulently produced American Registry of Radiologic Technologist (ARRT) pocket card and/or certificate for application or renewal purposes. (History: 37-1-319, 37-14-202, MCA; IMP, 37-1-307, 37-1-316, MCA; NEW, 1984 MAR p. 1629, Eff. 11/16/84; AMD, 1996 MAR p. 1138, Eff. 4/26/96; AMD, 1998 MAR p. 1916, Eff. 7/17/98; TRANS, from Commerce, 2004 MAR p. 3033; AMD, 2007 MAR p. 202, Eff. 2/9/07.)